

ORDINANCE NUMBER 945

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 4, 2019 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS THE POSSIBLE ADOPTION OF TEXAS LOCAL GOVERNMENT CODE CHAPTER 143 REGARDING THE IMPLEMENTATION OF CIVIL SERVICE FOR THE BURKBURNETT POLICE DEPARTMENT.

WHEREAS, the City of Burkburnett, Texas (the "City") received a Petition in accordance with Texas Local Government Code §143.004 on February 5, 2019 requesting an election to adopt Chapter 143 of the Texas Local Government Code regarding the implementation of civil service for the Burkburnett Police Department;

WHEREAS, the Petition meets the requirements of Texas Local Government Code § 143.004(b);

WHEREAS, after the receipt of a petition the governing body of a municipality shall order an election submitting to the voters the question of whether Chapter 143 should be adopted;

WHEREAS, the next uniform election date is on May 4, 2019;

WHEREAS, it is necessary that the Board of Commissioners call a special election for the purpose of submitting to the voters the question of adoption of civil service for the Burkburnett Police Department;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:

Part I: Enacted

SECTION 1. A Special Election be held on May 4, 2019, which date is the next succeeding uniform date available for municipal elections for which sufficient time has elapsed for the holding of an election after passage of this Ordinance. Said election shall be held to vote for or against the adoption of the police officers' civil service law as authorized by Chapter 143 of the Texas Local Government Code.

SECTION 2. Ballots shall be prepared in accordance with the applicable provisions of the Local Government Code and the Election Code so that voters may cast ballots either for or against the measure, which shall appear on the ballot substantially as follows:

PROPOSITION NO. 1

For _____ *Adoption of the police officers' civil service law.*

Against _____ *Adoption of the police officers' civil service law.*

SECTION 3. The polling place for Precincts No. 205 and 206 will be held at the Burkburnett Community Center Building, 735 Davy, Burkburnett, Texas and shall be open from 7:00 a.m. to 7:00 p.m. on Election Day May 4, 2019 with Susan Morris as Presiding Judge and Kerry Bell as Alternate Presiding Judge, the said Presiding Judge shall appoint the necessary clerks to assist on Election Day.

SECTION 4. The Presiding Judge of said election shall serve as the Presiding Officer of the Early Voting Ballot Board in accordance with the Texas Election Code.

SECTION 5. Janelle Stahr, City Clerk, is hereby appointed the Early Voting Clerk and early voting shall be conducted at the City Clerk's office in City Hall, 501 Sheppard Road, Burkburnett, Texas in accordance with the Texas Election Code. Early voting shall begin on April 22, 2019, and end on April 30, 2019, and shall be conducted Monday through Friday during the regular business hours of the City Clerk's office which are from 8:00 a.m. to 5:00 p.m. with extended early voting hours on April 29, 2019 and April 30, 2019 from 7:00 a.m. to 7:00 p.m.

SECTION 6. Notice of posting and publishing of said election and the preparation of ballots for said election will be in accordance with the Texas Election Code.

SECTION 7. The Board of Commissioners of the City of Burkburnett shall canvass the election not earlier than the third day nor later than the eleventh day after said election in accordance with the Texas Election Code.

Part II: Repealer

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or are in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

Part III: Severability

It is hereby declared to be the intention of the Board of Commissioners that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Part IV: Compliance with Texas Open Meetings Act

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Part V: Effective Date

This Ordinance shall be in force and effect from and after its approval.

PASSED AND APPROVED THIS 14th DAY OF FEBRUARY 2019.

**Carl Law, Mayor
City of Burkburnett, Texas**

ATTEST:

Janelle Stahr, City Clerk